

Message Text

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DRAFTED BY USDA/FAS/FMD:RWALLEWELT:EB/OF/FPD:RSSIMPSON:JV

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FM SECSTATE WASHDC

TO AMEMBASSY MADRID

UNCLAS STATE 130081

E.O. 11652: N/A

TAGS: EAGR, BDIS, SP

SUBJECT: TRADE COMPLAINT: SOYBEAN SHIPMENTS

REF: (A) MADRID A-72; (B) MADRID A-84; (C) MADRID 3451;

(D) FAS AIRCOM, MAY 8, 1974

1. DEPARTMENT APPRECIATES EMBASSY'S CONCERN THAT CONSISTENT SHORT WEIGHT DELIVERIES SOYBEANS TO SPAIN COULD DAMAGE U.S. TRADE INTERESTS. HOWEVER, DEPARTMENT OF AGRICULTURE BELIEVES THAT U.S. TRADE HAS EXCELLENT WORLDWIDE REPUTATION FOR SHIPPING CONTRACTURAL QUANTITIES WITHIN ACCEPTED TOLERANCES. SINCE WE ARE UNAWARE OF ANY SIGNIFICANT INCIDENCE OF COMPLAINTS IN OTHER COUNTRIES, WE INCLINED TO BELIEVE SPANISH PROBLEMS DUE TO MISUNDERSTANDING OR FACTORS PECULIAR TO OUR EXPORTS TO SPAIN.

2. U.S. GRAIN TRADING PRACTICES ARE DEFINED IN AMS OFFICIAL GRAIN STANDARDS OF THE UNITED STATES AND SHOULD BE AVAILABLE IN AGATTACHE'S OFFICE. USDA HAS DISCUSSED PROBLEM RAISED REFS (A) AND (B) WITH SEVERAL RELIABLE INSPECTION FIRMS OF THE U.S. OCEAN SHIPPING INDUSTRY. THE SUPERINTENDENCE CO., INC., OF NEW YORK INDICATED THEIR REPRESENTATIVE IN MADRID WOULD BE GLAD TO DISCUSS IN DETAIL THE PRACTICES INVOLVED IN WORLD GRAIN TRADING.

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WE BELIEVE THAT THIS IS MOST PRACTICAL WAY FOR EMBASSY TO GAIN DETAILED INFORMATION IT SEEKS AND, THEREFORE, SUGGEST IT CONTACT MR. CARSI (TELEPHONE 472-6200), MADRID REPRESENTATIVE OF THE SUPERINTENDENCE COMPANY, INC., OR OTHER QUALIFIED FIRMS.

3. EMBASSY CAN CLARIFY OR CONFIRM WITH MR. CARSI INFO CONTAINED REF (D). EMBASSY MAY ALSO FIND IT USEFUL DISCUSS COMMON GRAIN CONTRACT PROVISION THAT DELIVERED WEIGHT BE WITHIN 5 PERCENT (PLUS OR MINUS) OF NOMINAL CONTRACT AMOUNT, OFTEN WITH ADJUSTMENT OF PAYMENT FOR VARIATION CONFIRMED AT TIME OF DELIVERY. ANOTHER APPROACH WOULD BE FOR IMPORTER TO BUY ON CIF RATHER THAN FOB BASIS SO THAT HE PAYS ONLY FOR AMOUNT DELIVERED.

4. RE PARA 2 REF (C), USDA DOES NOT KNOW IDENTITY OF ALL CONSIGNEES SUBJECT SHIPMENTS. EMBASSY CAN PRESUMABLY OBTAIN THIS INFO FROM SPANISH IMPORTERS OR DIRECTLY FROM SHIPPING LINE CONCERNED.

5. RE PARA 3, REF (C), AMS CERTIFICATE ONGRADED SALES DOES INDICATE MOISTURE CONTENT. VARIATION CAN RESULT FROM SWEATING OF GRAIN DUE TO CHANGES IN SURROUNDING ATMOSPHERIC TEMPERATURE AND MOSITURE CONDITIONS. CONDITIONS VARY BY PORT AND TERMINAL.

6. RE PARA 5, REF (C), RATES FOR WEIGHT GUARANTEES AND OTHER EXPORT SERVICES MAY VARY BETWEEN COMPANIES AND WILL DEPEND ON TERMINAL LOADING AND UNLOADING FACILITIES INVOLVED (E.G., GREAT LAKES PREMIUMS ARE GENERALLY LOWER THAN GULF PREMIUMS).
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